Remarks/Arguments

35 U.S.C. §112

The Examiner has rejected claim 7 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant respectfully disagrees with Examiner's assertion that "the written description fails to "disclose the corresponding structure, material, or acts for the claimed function." (Office Action, page 3) As described in the Specification:

> "**Apparatus 20 is further operative to enable and perform a selectable channel search according" to the present invention.** According to an exemplary embodiment**, the selectable channel search enables a user to select a plurality of options for a channel search responsive to an on-screen menu.** The plurality of options includes a first option to search at least one of the inputs (e.g., cable input, antenna input, etc.) to apparatus 20 for available channels, and a second option to search at least one of a plurality of types of channels (e.g., digital modulation channels and analog modulation channels). Other options such as an option to detect the type of signals (e.g., cable signal, terrestrial signal, etc.) received on each of the inputs to apparatus 20; and an option to search channels found during previous channel searches may also be provided." (Specification, page 1, line 30 through page 2, line 7, emphasis added)

The Specification further discloses:

> "**Apparatus 20 of FIG. 2 comprises** front panel means such as front panel assembly (FPA) 21, amplifying means such as amplifier 22, and input/output (110) means such as I/O block 23, **processing means such as processor 24**, and memory means such as memory 25. Some of the foregoing elements of FIG. 2 may be embodied using ICs, and some elements may for example be included on one or more ICs." (Specification, page 2, lines 15-20, emphasis added)

The Specification also discloses:

> "**Processor 24 is also operative to execute software code that enables a selectable channel search according to the present invention.** According to an

> exemplary embodiment, **processor 24 enables users to select various search options for performing such a selectable channel search. Processor 24 also enables performance of a channel search in accordance with the search options** selected by a user." (Specification, page 3, lines 23-33, emphasis added)

A flowchart of the method, the steps of which are performed by the processor or processing means, is provided in Figure 3 and described in the accompanying description.

It is therefore respectfully asserted that the written description, in at least the sections cited above, describes a processor and processing means, explains that the processor executes software code that enables the channel search, explains that the search is in accordance with the search options, and describes steps executed by the processor or processing means, including providing the on-screen menu, input search options, channel type search options, and performance of the search. It is therefore also respectfully asserted that the written description complies with 35 U.S.C. 112, sixth paragraph, with regard to claim 7, and that the rejection should be withdrawn.

35 U.S.C. §103

Claims 1-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shintani et al. (U.S. Publication No. 2005/0086693 A1; hereinafter referred to as "Shintani"), in view of Kikinis (U.S. Patent No. 7,213,256 B1).

It is respectfully submitted that neither Shintani nor Kikinis, alone or in combination, teach or suggest a method for enabling a channel search:

> "wherein said plurality of options includes a first option to individually select which of a plurality of inputs to said signal processing apparatus are to be searched and a second option to individually select which of a plurality of types of channels are to be searched,"

as recited by claim 1.

Shintani is directed toward the problem that as "the number of available channels continues to increase, the running of an auto-program can take prohibitively excessive

amounts of time." (Shintani, paragraph 0004) To solve this problem, Shintani teaches a "method, apparatus, and system are provided for use in performing a limited channel mapping. In some embodiments a method can **select an input** of a plurality of inputs, **select a single modulation scheme** of a plurality modulation schemes delivered through the selected input, tune in a plurality of channels for the single modulation scheme, determine if a broadcast is received on each of the channels, record channels that are determined to receive broadcasts in a channel map, and not performing a full auto-program." (Shintani et al. Abstract, emphasis added)

Shintani does disclose allowing the user to control which modulation schemes are scanned:

> "For example, the receiver can be instructed (e.g., by a user) not to tune in a particular modulation scheme and/or format. This instruction not to tune in a modulation format may be issued, for example, when the user knows that there are no signals modulated using Advanced Television System Committee (ATSC) formats on his/her cable system, and thus there is no need for the receiver to try and search that modulation format on that input." (Shintani, paragraph 0032)

> "For example, a user can manually activate the enhanced auto-programming and select one or more of the specific modulation schemes to evaluate." (Shintani, paragraph 0033)

However, Shintani does not disclose providing options for both individual control over which inputs are scanned and which channel types are scanned. The system of Shintani would require the user to at least initiate multiple scans, one for each input to be scanned, thereby failing to provide much of the benefit of the presently claimed invention. Furthermore, as admitted in the Office Action, Shintani fails to meet the limitation of "enabling a user to select a plurality of options responsive to said on-screen menu." (Office Action, page 5) Thus, Shintani fails to disclose a method for enabling a channel search "wherein said plurality of options includes a first option to individually select which of a plurality of inputs to said signal processing apparatus are to be searched and a second

option to individually select which of a plurality of types of channels are to be searched," as described in claim 1.

In Kikinis a method and apparatus "providing for expanded search functionality in an electronic program guide (EPG) for television is described. The expanded search function finds show titles that are the same or similar to the show title of the program data currently displayed by the EPG. The expanded search function also finds shows similar to the one currently displayed by the EPG by using additional search elements based on the descriptive part of the EPG program data, such as actors, director, genre, etc., as well as search parameters based on the show time, channel, etc. Rather than only finding exact matches, the expanded search function uses fuzzy logic to find near matches and prioritizes the results according to the search elements and parameters as specified by the viewer." (Kikinis Abstract)

The Office Action asserts, "Kikinis discloses (col.3, lines 36-59) that the GUI is provided with a plurality of options to select to search for a program to the user as represented in Fig. 3b." (Office Action, page 5) Even if Kikinis makes such a disclosure, it does not represent one of the limitations of the present claims. The present claims relate to channel search / scanning, not program search, and require that options be provided both for which inputs are to be searched and which types of channels are to be searched. Kikinis appears to assume a channel list is already known through an EPG and is not related to the problem addressed by the present claims. Thus, Kikinis, like Shintani, fails to disclose a method for enabling a channel search "wherein said plurality of options includes a first option to individually select which of a plurality of inputs to said signal processing apparatus are to be searched and a second option to individually select which of a plurality of types of channels are to be searched," as described in claim 1.

In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Shintani or Kikinis, alone or in combination, that makes the present invention as claimed in claim 1 unpatentable. It is also respectfully submitted that independent claims 7 and 13 are allowable for at least the same reasons as claim 1. Since dependent claims 2-6, 8-12, and

14-18 are dependent from allowable independent claims 1, 7, and 13, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
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